

Exhibit K-1

“Informal, BP-8”

Response to Informal Resolution Form

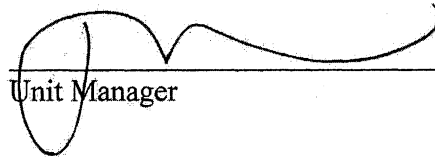
Inmate: **SCHULTE, Joshua**
Register Number: **79471-054**

This is in response to your March 28, 2019 Informal Resolution Form, in which you request contact legal visitation to review legal documents.

Your SAM and local procedures permits your attorneys to provide you with paper discovery at the onset of every legal visit. However, neither the SAM nor MCC policies and procedures permit you to hand anything to your attorneys during legal visits. Hence, for the safety of staff, inmates and others, and to prevent you from circumventing your SAM, you may not have contact legal visitation.

If you are not satisfied with this response, you may address your grievance through the administrative remedy program.

4.18.19
Date


Unit Manager

NYM 1330.7
ATTACHMENT 1METROPOLITAN CORRECTIONAL CENTER, NEW YORK
ADMINISTRATIVE REMEDY PROCEDURE FOR INMATESINFORMAL RESOLUTION FORM (BP-8)

NOTE TO INMATE: With the exception of sensitive issues and DHO appeals, you are advised that prior to receiving and filing a Request for Administrative Remedy Form BP229(13) (old BP-9), you **MUST** attempt to informally resolve your complaint through your correctional counselor. Additionally, in accordance with P.S. 1330.13, you have the responsibility to present complaints in good faith and in an honest and straightforward manner. Before completing this form, you should make every effort to honestly attempt to informally resolve this matter verbally with staff. Briefly state ONE complaint below and list what efforts you have made to resolve your complaint informally.

Date form issued and initials of Corr. Counselor: _____

INMATE'S COMMENTS:

1. Complaint: Full contact legal visit and passing of legal docs to attorneys:
I previously submit this BP-8 but either did not receive a paper copy or ~~lost it~~ lost it; regardless, the regulations require another BP-8 to file BP-9 (So if copy was made of original request then simply attach here). Preventing full contact legal visits and passing of legal docs violates the 6th and 5th amendments. I must be allowed to participate in my own defense - I am no security threat to my own attorneys who I meet twice weekly in prison at the SCIF.
2. Efforts made by you to informally resolve: On Tuesday, Nov 27th I sent a list of 35 unconstitutional issues that were ~~received~~ reviewed by the warden. I was told the issues would be addressed, but none here.

3. Names of staff you contacted/Date you contacted the staff:

Prison Warden 11/27/18

Date returned to Correctional Counselor: _____

Schulte, Joshua 79471654 3/28/19

Inmate's Name

Register Number

Date

CORRECTIONAL COUNSELOR'S COMMENTS

1. Efforts made to informally resolve and staff contacted: _____

Date informally resolved: _____ Counselor Signature: _____

Date BP-229(13) Issued: _____

Unit Manager: _____

Exhibit K-2

“MCC, BP-9”

RESPONSE TO REQUEST FOR ADMINISTRATIVE REMEDY - PART B

Inmate Name: SCHULTE, Joshua
Reg. No. 79471-054
Administrative Remedy Id.: 979416-F1

This is in response to your Request for Administrative Remedy dated May 5, 2019, wherein you allege that MCC New York does not allow SAMs inmates to have physical contact, to include transfer of legal documents to and from the attorney during legal visits. You request to have physical contact during legal visits and be allowed the opportunity to pass documents to and from the attorneys.

Your SAM and local procedures permits your attorneys to provide you with paper discovery at the onset of every legal visits. However, neither the SAM nor MCC policies and procedures permit you to hand anything to your attorneys during legal visits. Hence, for the safety of staff, inmates and others, and to prevent you from circumventing the SAM, you may not have contact legal visitation.

Accordingly, your request for relief is denied.

If you are dissatisfied with this response, you may appeal to the Regional Director, Northeast Region, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House - 7th Floor, 2nd & Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

6/27/19
Date


L. N'Diaye, Warden

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Schulke, Joshua A 74471054 105 MCC
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

Request physical contact legal visits and ability to transfer documents with attorneys. There is absolutely no reason why SAME inmates cannot physically meet with attorneys or pass documents to and from attorneys. Every other inmate at MCC retains these necessary communication mechanisms with their attorneys. To deny this to SAME inmates is to impose impermissible punishment without due process. This also undermines the entire criminal justice system as it prevents the legally presumed innocent from effectively fighting their cases. No federal judge would ever uphold this outrageous assault on the Constitution.

5/5/19
DATE

Josh Schulke
SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



Exhibit K-3

“Regional, NE”

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: JUNE 21, 2019
cbd

FROM: ADMINISTRATIVE REMEDY COORDINATOR
NORTHEAST REGIONAL OFFICE

TO : JOSHUA ADAM SCHULTE, 79471-054
NEW YORK MCC UNT: 9 QTR: Z07-305LAD
150 PARK ROW
NEW YORK, NY 10007

FOR THE REASONS LISTED BELOW, THIS REGIONAL APPEAL
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 981819-R1 REGIONAL APPEAL
DATE RECEIVED : JUNE 17, 2019
SUBJECT 1 : DHO APPEAL - COMBINED (PROCEDURES, EVIDENCE & SANCTIONS)
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: YOU MUST FIRST FILE A BP-9 REQUEST THROUGH THE INSTITUTION
FOR THE WARDEN'S REVIEW AND RESPONSE BEFORE FILING AN APPEAL
AT THIS LEVEL.

ATTENTION: ~~S~~ NO BALLPOINT PEN~~S~~
AS A SAMs INMATE HELD IN
SOLITARY CONFINEMENT, I
HAVE NO ACCESS TO A BALLPOINT
PEN OR PHOTOCOPIER

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

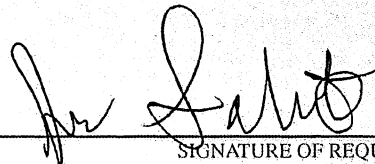
From: Schulter Joshua A 79471054 105 MCC
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

Full contact legal visits: I did not receive a response to my BP-9 filed on 5/6 within 20 days as required by 28 CFR 542.10, and do hereby appeal that denial. I formerly had physical attorney conferences with the ability to pass notes with them. When I was placed on 105, this access was revoked. I violated no institutional rules. Every other inmate has access to full-contact legal visits except for those on 105. Arbitrary denial of access to attorneys violates the 5th amendment's due process clause and the 6th amendment's assistance of counsel clause. Please restore my access to attorneys and passing of documents to them.

6/7/19

DATE



SIGNATURE OF REQUESTER

Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 981819R1

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

